

REMARKS

Status of the Claims

Upon entry of the amendment above, claims 14-16, 18-34, 36-44 and 47-63 will remain pending, claims 14, 15, 24, 29, 30, 44, and 58 being independent.

Summary of Telephone Interview with the Examiner

During a telephone interview with the Examiner on October 25, 2006, following a Pre-Appeal Brief Conference, the Examiner explained that the application would be allowed if independent claims 15, 29, and 30 were to be amended so that each would include the limitations relating to (1) the cover being connected to the sole between the top and bottom of the sole, and (2) the cover being connected to the sole beneath or at the front end zone of the upper or sole.

Summary of the Amendment

In the amendment above, independent claims 15, 29, and 30 are amended so that each includes the limitations relating to (1) the cover being connected to the sole between the top and bottom of the sole, and (2) the cover being connected to the sole beneath or at the front end zone of the upper or sole.

In addition, dependent claims 17, 35, and 64 are canceled.

Further, clarifying amendments are made to claims 29, 37, and 54.

SUMMARY AND CONCLUSION

The amendment presented above is believed to place the instant application in condition for allowance, consistent with the aforementioned discussion with the Examiner and the indication of allowance of independent claims 14, 44, and 58 and the claims depending therefrom in the aforementioned Notice of Panel Decision from Pre-Appeal Brief Review.

No fee is believed to be due at this time. However, the Commissioner is authorized to charge any fee required for entry of the amendment and allowance of the application to Deposit Account No. 19-0089.

Any comments or questions concerning this application can be directed to the undersigned at the telephone, the fax number, or the e-mail address given below.

Respectfully submitted,
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